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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/724,038

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EXAMINER

VU, THANH T

ART UNIT

PAPER NUMBER

2174

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/724,038	<b>Applicant(s)</b> ITO, MASAKAZU	
	<b>Examiner</b> THANH T. VU	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/10/2007</u> .                                              | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This communication is responsive to Amendment, filed 10/4/2007.

Claims 1-15 are pending in this application. In the Amendment, claims 2, 6, 10 were cancelled, claims 13-15 were added, and claims 1, 3-5, 7-9, and 11 were amended. This action is made Final.

#### ***Claim Objections***

Claim 4 is objected to because of the following informalities: claim 4 is dependant on a canceled claim 2. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Balderrama et al. (“Balderrama”, U.S. Pat. No. 5,806,071).

Per claim 1, Balderrama teaches a display system, comprising:

a key group master memory unit for storing key group master information of a plurality of product keys and a plurality of key groups including a switching key for switching a display from displaying one key group of the key group to another key group of the key groups (figs 3; item 74 and fig. 4, item 102b; col. 8, lines 16-21 and 11, lines 13-16 *shows original template (TABLE A data record)*; col. 13, lines 18-65 and lines 47-65; *plurality of product keys: keys*

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*162a-162f or keys 172-172d of fig. 8; keys 182a-182f or keys 192a-192b of fig. 9; keys 262a-262c of fig. 13; switching key: key 162f of fig. 8, key 182f of fig. 9; or keys 162a-162d of fig. 13; the switching key switches the display to a another key group.)*

a touch panel for displaying at least one key group of the key groups (col. 6, lines 64-67);

a displayed key group attribute information storage unit, for storing, as displayed key group attribute information, the key group master information of at least one the key group displayed on the touch panel (fig. 3, *in store database 86 with TABLE B data record*; col. 9, lines 15-30; *Template records TABLE B stores key group attribute information and the key group master information of the key groups.*)

a display switching unit which, in response to a press switching key (see figs. 8, 9, and 13; e.g. *switch key 262a*), receives from the key group master memory unit, key group master information that corresponds to the pressed switching key (col. 7, lines 4-11; col. 13, lines 18-46;), and replaces a key group displayed on the touch panel including the pressed switching key, with a key group corresponding to the key group master information designated according to the pressed switching key and updates the displayed key group attribute information with the received key group master information (figs. 8, 9, and 13; e.g. *the key group menu 260 including key pressed switching key 262a of fig. 13 are replaced with key group TACO 262a in display 280; figs. 4 and 5, shows updating database and original template* )

Per claim 3, Balderrama teaches the display system according to claim 1, further comprising:

a price look-up (PLU) master memory unit for storing PLU master information including a product name and a product unit price (col. 9, lines 15-30 and col. 10, lines 25-32; *TABLE C*

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*storing master PLU information having a product name and a product unit price); and sales processing means that, when the product key on the touch panel is pressed, reads out the PLU master information designated according to the link destination attribute and the link destination number in the displayed key group attribute information that corresponds to the pressed product key, and displays the PLU master information on the touch panel (col. 7, lines 13-15; col. 10, lines 25-32; TABLE B; see col. 13, lines 10-15, "order window" displays selected product item and price information read out from PLU information of TABLE B).*

Per claim 4, Balderrama teaches the display system according to claim 2, comprising a price look-up (PLU) master memory unit for storing PLU master information including a product name and a product unit price (col. 9, lines 15-30 and col. 10, lines 25-32; *TABLE C storing master PLU information having a product name and a product unit price*); and sales processing means that, when the product key on the touch panel is pressed, reads out the PLU master information designated according to the link destination attribute and the link destination number in the displayed key group attribute information that corresponds to the pressed product key, and displays the PLU master information on the touch panel (col. 7, lines 13-15; col. 10, lines 25-32; TABLE B; see col. 13, lines 10-15, "order window" displays selected product item and price information read out from PLU information of TABLE B).

Claims 5, and 7-8 are rejected under the same rationale as claims 1, 3-4 respectively.

Claims 9, and 11-12 are rejected under the same rationale as claims 1, 3-4 respectively.

Per claims 13-15, Balderrama further teaches wherein the key group master information that corresponds to the pressed switching is designated according to a link destination attribute and a link destination number in the displayed key group attribute information (col. 7, lines 411

and 13, lines 18-46; *the key group master information designated according to a link destination attribute and a link destination number in the display key group attribute information are read out from TABLE A, B, and C).*

### ***Response to Arguments***

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Balderrama does not teach "both the key group master memory unit and the displayed key group attribute information storage unit".

The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, Balderrama teaches the key group master memory unit (figs 3; item 74 and fig. 4, item 102b; col. 8, lines 16-21 and 11, lines 13-16 *shows original template (TABLE A data record)*) and the displayed key group attribute information storage unit (fig. 3, *in store database 86 with TABLE B data record*; col. 9. lines 15-30).

Applicant also point out that “Balderrama fails to disclose a display switching unit which receives from the key group master memory unit key group master information and which also updates the displayed key group attribute information of the displayed key group attribute information of the displayed key group attribute information storage unit which the received key group master information”. The examiner does not agree because Balderrama reads on the claim language of a display switching unit which, in response to a press switching key (see figs. 8, 9, and 13; e.g. *switch key 262a*), receives from the key group master memory unit, key group master information that corresponds to the pressed switching key (col. 7, lines 4-11; col. 13, lines 18-46;), and updates the displayed key group attribute information with the received key group master information (*figs. 4 and 5, shows updating database and original template.*)

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH T. VU whose telephone number is (571)272-4073. The examiner can normally be reached on Mon- Fri 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. T. V./  
Examiner, Art Unit 2174

/David A Wiley/  
Supervisory Patent Examiner, Art Unit 2174